

METRO COUNCIL COMMITTEE MINUTES

SPECIAL - Public Safety Committee

Tuesday, June 2, 2009

3:00 P.M.

Third Floor, City Hall

Present: Chairman: CM Flood

Members: CM Peden, CW Woolridge, CW Ward-Pugh, CM Downard,
CM Stuckel & CM Blackwell (3:15PM)

Also Present: CM B. Ackerson, CM Heiner, & CM Owen

Chairwoman Flood began the meeting by introducing the members and non-members of the committee that were present. A quorum was established.

THIS IS CONSIDERED A SPECIAL MEETING.

Pending Legislation

- 1- O-63-04-09 AN ORDINANCE REQUIRING THAT THE DELIVERY OF UNSOLICITED WRITTEN MATERIALS TO A PREMISES BE PLACED IN A DISTRIBUTION BOX, ON THE FRONT PORCH, SECURELY ATTACHED TO THE FRONT DOOR OR EXTERIOR OF A MAILBOX, OR BETWEEN THE EXTERIOR AND INTERIOR FRONT DOOR.

Status: In Committee - Tabled

Committee: Public Safety

Primary Sponsor:

Brent Ackerson
Jon Ackerson
Jim King
Robert Henderson
Marianne Butler
Vicki Welch
Rick Blackwell
James Peden
Kelly Downard
Tina Ward-Pugh

Motion to untable made by James Peden and seconded by Mary C. Woolridge, without objection the item was untabled. . CM B. Ackerson stated the progress made and efforts on clarifying the intent of the proposed ordinance, and reaching a workable agreement with representation of the Courier-Journal. CW Flood stated there was a proposed amendment for the committee's review; primary sponsor CM B. Ackerson addressed the proposed amendment. Matthew Lemme, Jefferson County Attorney's Office, was available for questions and/or clarification efforts.

Motion to amend made by James Peden and seconded by Mary C. Woolridge; discussion on the amendment occurred in regards to the infringement on property/owner rights.

WHEREAS, *this Ordinance is an effort to reduce unwanted litter and visual blight caused by unsolicited written materials on public property and the yards and driveways of private premises, and to further prevent damage to*

property as a result of sewage and/or drainage backups-; and

WHEREAS, this Ordinance does not in any way deprive or diminish a private property owner's right to protect his or her premises from unsolicited or unwanted written materials.

NOW, THEREFORE, BE IT ORDAINED BY THE METRO COUNCIL:

SECTION I. *A new section of the Louisville/Jefferson County Metro Code of Ordinances is hereby added as follows:*

Unless the property owner has denied entry to their property;

Having no further discussion on the amendment, by voice vote it was approved. There was audible objection.

Brief discussion occurred on the following:

- Do not deliver to buildings with multiple dwellings, unless these can be taken inside
- Increase in visibility and accessibility of the "DO NOT DELIVER" List
- Bonafide requests from entire streets/blocks of housing
- Implementation timetable for operating measures
- Civil penalties

Motion to amend Section Two to have the ordinance take effect within 30 days of passage made by Rick Blackwell and seconded by James Peden. By voice vote the amendment was approved. There was audible objection.

Having no further discussion, the item was approved **AS AMENDED** and sent to **OLD BUSINESS**.

VOTE - For: 6; Against: 0; Abstain: 0; Absent: 1

For: Kelly Downard, Glen Stuckel, James Peden, Mary C. Woolridge, Rick Blackwell, Madonna Flood, Tina Ward-Pugh

Against: (None)

Abstain: (None)

Absent: (None)

Motion to adjourn made by Tina Ward-Pugh, without objection, the meeting adjourned at 3:35 PM.

***NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting, June 11, 2009.**

KLP